



राजपत्र हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, मंगलवार, 22 मई, 2001/1 ज्येष्ठ, 1923

हिमाचल प्रदेश सरकार

विधि विभाग
विधायी (अंग्रेजी) शाखा

अधिसूचना

शिमला-2, 22 मई, 2001

संख्या एल० एल० आर०-डी०(६)१/२००१-लेज.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद २०० के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए तारीख १८-५-२००१ को अनुमोदित पंजाब एक्साइज

(हिमाचल प्रदेश संशोधन) विधेयक, 2001 (2001 का विधेयक संख्यांक 2) को 2001 के अधिनियम संख्यांक 13 के रूप में अनुच्छेद 348 के खण्ड (3) के अधीन उसके प्राधिकृत पाठ सहित हिमाचल प्रदेश राजपत्र में प्रकाशित करते हैं ।

आदेश द्वारा,

हस्ताक्षरित/-
सचिव (विधि) ।

2001 का अधिनियम संख्यांक 13.

पंजाब एक्साइज (हिमाचल प्रदेश संशोधन) अधिनियम, 2001

(राज्यपाल महोदय द्वारा तारीख 18 मई, 2001 को यथा अनुमोदित)

पंजाब पुनर्गठन अधिनियम, 1966 (1966 का 31) की धारा 5 के अधीन हिमाचल प्रदेश में जोड़े गए क्षेत्रों में यथा प्रवृत्त; और प्रथम नवम्बर, 1966 से ठीक पूर्व हिमाचल प्रदेश में समाविष्ट क्षेत्रों में हिमाचल प्रदेश (विधियों का लागू होना) आदेश, 1948 और बिलासपुर (विधियों का लागू होना), 1949 द्वारा यथा लागू, पंजाब एक्साइज ऐक्ट, 1914 (1914 का 1) का और संशोधन करने के लिए अधिनियम ।

भारत गणराज्य के बावनवें वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो:—

1. इस अधिनियम का संक्षिप्त नाम पंजाब एक्साइज (हिमाचल प्रदेश संशोधन) ऐक्ट, 2001 है । संक्षिप्त नाम

2. पंजाब पुनर्गठन अधिनियम, 1966 की धारा 5 के अधीन हिमाचल प्रदेश में जोड़े गए क्षेत्रों में यथा प्रवृत्त; और प्रथम नवम्बर, 1966 से ठीक पूर्व हिमाचल प्रदेश में समाविष्ट क्षेत्रों में लागू पंजाब एक्साइज ऐक्ट, 1914 (जिसे इसमें इसके पश्चात् मूल अधिनियम कहा गया है) की धारा 61 के पश्चात् निम्नलिखित नई धारा अंतःस्थापित की जाएगी, अर्थात् :— धारा 61-A
का अंतःस्था-
पन ।

“61-A. *Composition of certain offences.*—(1) Notwithstanding anything contained in sub-section (1) of section 61, any offence, whether committed before or after the commencement of the Punjab Excise (Himachal Pradesh) Amendment Act, 2001, relating to the imports, exports, transportation or possession upto 60 litres of Lahan or upto 18 bulk litres of liquor, may either before or after the institution of the prosecution, be compounded by the Judicial Magistrate of the 1st Class, for an amount which shall not be less than one thousand rupees but shall not exceed twenty five thousand rupees.

(2) Where an offence has been compounded under sub-section (1), the offender, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of such offence :

Provided that if a person commits an offence specified in sub-section (1), for more than three times, the same shall not be compounded.

(3) When a case has been compounded under sub-section (1), the Judicial Magistrate of the 1st Class may make such order as he thinks fit for the disposal of the case property.”

धारा 65 का
संशोधन ।

3. मूल अधिनियम की धारा 65 में शब्दों, कोष्ठकों, अक्षरों और चिह्नों, "in case (a) with fine which may extend to two hundred rupees, and in case (b) or in case (c) with fine which may extend to five hundred rupees", के स्थान पर "with fine which may extend to twenty five thousand rupees but shall not be less than five thousand rupees" शब्द रख जाएंगे ।

AUTHORITATIVE ENGLISH TEXT

Act No 13 of 2001.

**THE PUNJAB EXCISE (HIMACHAL PRADESH AMENDMENT)
ACT, 2001**

(AS ASSENTED TO BY THE GOVERNOR ON 18TH MAY, 2001)

AN

ACT

further to amend the Punjab Excise Act, 1914 (1 of 1914) as in force in the areas added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 (31 of 1966); and as applied to the areas which comprised in Himachal Pradesh immediately before the 1st day of November, 1966 vide the Himachal Pradesh (Application of Laws) Order, 1948 and the Bilaspur (Application of Laws) Order, 1949.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Fifty-second Year of the Republic of India, as follows :—

1. This Act may be called the Punjab Excise (Himachal Pradesh) Amendment Act, 2001.

Short title

2. After section 61 of the Punjab Excise Act, 1914, as in force in the areas added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966; and as applied to the areas which comprised in Himachal Pradesh immediately before the 1st day of November, 1966 (hereinafter referred to as 'principal Act'), the following new section shall be inserted, namely :—

Insertion
of section
61-A.

“61-A. Composition of certain offences.—(1) Notwithstanding anything contained in sub-section (1) of section 61, any offence, whether committed before or after the commencement of the Punjab Excise (Himachal Pradesh) Amendment Act, 2001, relating to the imports, exports, transportation or possession upto 60 litres of lagan or upto 18 bulk litres of liquor may either before or after the institution of the prosecution, be compounded by the Judicial Magistrate of the 1st Class, for an amount which shall not be less than one thousand rupees but shall not exceed twenty five thousand rupees.

(2) Where an offence has been compounded under sub-section (1), the offender, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of such offence :

Provided that if a person commits an offence specified in sub-section (1) for more than three times, the same shall not be compounded.

(3) When a case has been compounded under sub-section (1), the Judicial Magistrate of the 1st Class may make such order as he thinks fit for the disposal of the case property.”

Amendment
of section
65.

3. In section 65 of the principal Act, for the words, brackets, letters and signs "in case (a) with fine which may extend to two hundred rupees, and in case (b) or in case (c) with fine which may extend to five hundred rupees", the words "with fine which may extend to twenty five thousand rupees but shall not be less than five thousand rupees" shall be substituted.